

IN THE UNITED STATES DISTRICT COURT OF EASTERN WASHINGTON

Joseph Jeffrey Brice

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Case No. 2:11CR00075-001

Vs.

NOV 27 2020

**MOTION TO MODIFY TERM/CONDITION  
OF SUPERVISED RELEASE.**

United States Of America

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

COMES NOW the Defendant and moves this Honorable Court for an order modifying a condition of his Supervised Release. Defendant asks the Court to eliminate or modify the condition regarding "no computer use" so that defendant may use computers in both his professional and personal livelihood.

The Defendant makes the following statements in support of this order.

- 1.) Defendant was convicted of violating 26 U.S.C. 5861(f) Manufacturing an unregistered firearm and 18 U.S.C. 2339A(a), (b)(1-3) Attempt to provide material support to terrorists.
- 2.) Defendant was sentenced to a total term of 150 months of imprisonment as well as lifetime Supervised Release.
- 3.) The month of February of 2022 the Defendant's term of imprisonment will expire. The Defendant is due to be released to RRC (halfway house) custody in May of 2021 according to good behavior time credit.
- 4.) Although the Defendant understands that technically probation or supervised release will not begin until 2022, Defendant understands that RRC staff may cite PSR/Supervised Release Conditions and emulate those. Defendant has already obtained work and a place of residence upon release to RRC. RRC will likely release Defendant to home confinement quickly. SMART phones are now considered computers and SMART phones are required by RRC for monitoring both at RRC residence and on home confinement. Defendant is concerned that these conditions set forth in the Court's judgement will hinder his opportunities in both work and personal life.
- 5.) Defendant acknowledges seriousness of offense and supports the remaining conditions; No Alcohol and a term of life Supervised Release. He requests that the court either remove the no computer condition or modify to state "monitored computer use." These monitoring conditions are often seen with defendants that have sexual crime violations. Although Defendant cites no similarities between the crimes, he would not oppose such a condition.
- 6.) Defendant cites the Honorable Court's own statements at sentencing regarding computer use "by that time, we have no idea what the computer world will be like. I will leave that condition in." (June 11, 2013 Pg. 259-260, Lines 25-2)
- 7.) "He will at some point, be out of prison. He will hopefully have a constructive life." (June 11, 2013 Pg. 257 Line 24-25). Defendant is now at that point and a constructive life is all he seeks and thus asks the Court for support in that step towards a constructive life.

- 8.) Defendant has never faced any disciplinary incidents during his entire term of imprisonment, has always maintained labor intensive employment inside of prison, has maintained good family relationship, and has taken significant and nearly complete steps towards attaining a college degree while incarcerated.
- 9.) Computers specifically internet accessible pieces of technology such as SMART phones are nearly mandatory in today's life. Someone without these tools may as well be living in decades past. From using computers at work to just paying your bills or accessing your bank/paying for gas, the absense of technology seems unreasonable. Defendant asks the Court not for sympathy but simply an equal chance at redemption upon release. Defendant is concerned that negotiating with a Supervised Release Officer will appear abrasive and does not wish to attempt this. Thus he asks the Court for assistance.

### CONCLUSION

The Defendant prays this Honorable Court will issue and order Defendant's condition of SUPervised Release be modified to accomodate existing status quos of life.

Dated this November Day of 17th, 2020.

By: Joseph Jeffrey Brice #13776-085  
FCI Englewood  
9595 W. Quincy Ave.  
Littleton CO 80123

Petitioner requests that a copy of this motinn and attached statement be forwarded to ALL interested parties via the CM/ECF SYSTEM.

I, the undersigned do hereby attest under penalties of perjury under the laws of the United States of America that the following is TRUE and CORRECT and placed for mailing on this the day of November 17th 2020.

Respectfully submitted  
Joseph J. Brice  
November 17th 2020

